

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HARVEY MILLER and TODD
K. LAMUNYON, individually,
and as Representatives of a Class
of Participants and Beneficiaries
of the Packaging Corporation of
America Retirement Savings
Plan For Salaried Employees,

Plaintiffs,

v.

PACKAGING CORPORATION OF
AMERCIA, INC.,

and

THE BOARD OF DIRECTORS OF
PACKAGING CORPORATION OF
AMERCIA, INC., MARK W.
KOWLZAN, CHERYL K. BEEBE,
DUANE FARRINGTON, DONNA A.
HARMAN, ROBERT C. LYONS,
THOMAS P. MAURER, SAMUEL M.
MENCOFF, ROGER B. PORTER,
THOMAS A. SOULELES, AND
PAUL T. STECKO

and

INVESTMENT COMMITTEE OF THE
PACKAGING CORPORATION OF
AMERCIA, INC., MICHELLE WOJDYLA,
ROBERT P. MUNDY, AND PAMELA A.
BARNES

Defendants.

Case No: 1:22-cv-00271

Judge Hala Y. Jarbou

Magistrate Judge Ray Kent

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiffs Harvey Miller and Todd K. Lamunyon (“Plaintiffs”) respectfully move the Court to: (1) preliminarily approve the Parties’ Class Action Settlement Agreement in the above-referenced matter; (2) approve the proposed Settlement Notices and authorize distribution of the Notices to the Settlement Class; (3) preliminarily certify the Settlement Class for settlement purposes; (4) schedule a final approval hearing; and (5) enter the accompanying Preliminary Approval Order.

This motion is made pursuant to Federal Rule of Civil Procedure 23(e) and is based on the accompanying Memorandum of Law and authorities cited therein, the Declaration of Paul M. Secunda and exhibits attached thereto (including the Settlement Agreement attached as **Exhibit 1**), the Declarations of Harvey Miller and Todd K. Lamunyon, and all files, records, and proceedings in this matter. Defendants join in the relief requested by Plaintiffs’ Motion for Preliminary Approval of Settlement.

Dated this 22nd day of September, 2023

WALCHESKE & LUZI, LLC

s/ Paul M. Secunda
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**ATTORNEYS FOR PLAINTIFFS AND
PROPOSED CLASS**

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2023, I caused a copy of the foregoing to be electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

Dated: September 22, 2023

s/Paul M. Secunda
Paul M. Secunda